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10/728,495	12/05/2003	Alan C. Berkema	200310639-1	9731
22879	7590	09/30/2010	EXAMINER	
HEWLETT-PACKARD COMPANY Intellectual Property Administration 3404 E. Harmony Road Mail Stop 35 FORT COLLINS, CO 80528				HOANG, DANIEL L
ART UNIT		PAPER NUMBER		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte ALAN C. BERKEMA and SCOTT V. HANSEN

Appeal 2010-012423
Application 10/728,495
Technology Center 2400

Before STEVEN J. BARTLETT, *Support Division 2 Manager.*

ORDER REMANDING APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on September 27, 2010. A Docketing Notice was mailed on September 30, 2010. Upon review of the application, it has been determined that a remand to the Examiner is necessary to consider the following issues and to take necessary corrective action.

Appeal 2010-012423
Application 10/728,495

REQUEST TO REOPEN PROSECUTION

Appellants filed a communication August 22, 2010. This communication will be considered as the Appellants exercising their option to Request to Reopen Prosecution in response to a new ground of rejection contained in the Examiner's Answer mailed on June 23, 2010. There is no indication on the record that the Examiner has acted on this Request to Reopen Prosecution.

Accordingly, it is ordered that the application is remanded to the Examiner:

- 1) to Reopen Prosecution; and
- 2) for further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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